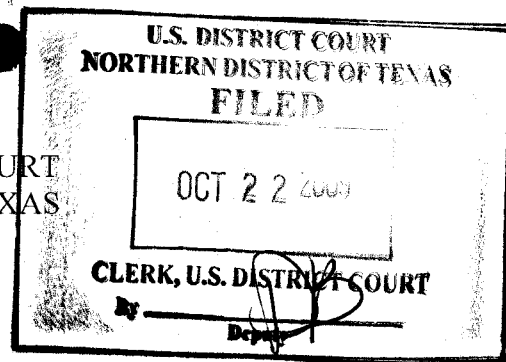


ORIGINAL
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION



THE ATTORNEYSTORE.COM, INC.,

Plaintiff,

v.

REED ELSEVIER, INC. d/b/a
LEXISNEXIS,

Defendant.

CIVIL ACTION

FILE NO.

35553
8-09 CV 2005 - N

DEFENDANT'S NOTICE OF REMOVAL

TO THE UNITED STATES DISTRICT COURT:

COMES NOW Defendant Reed Elsevier, Inc. d/b/a ("LexisNexis") and pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, hereby gives notice of the removal of this action ("Notice of Removal") from the County Court at Law No. 2 of Dallas County, Texas, where it is now pending, to the United States District Court for the Northern District of Texas. As grounds for this removal, Defendant shows this Honorable Court as follows:

1. On September 23, 2009, Plaintiff The AttorneyStore.Com, Inc. ("Plaintiff") filed this action against Defendant in the County Court at Law No. 2 for Dallas County, Texas. True and correct copies of all process, pleadings, and orders on file with the Clerk of the County Court at Law No. 2 for Dallas County, Texas are attached hereto as Exhibit "A" and incorporated herein.

2. Defendant was served with the Original Petition on September 24, 2009 and timely answered on October 16, 2009. This Notice of Removal has been filed within 30 days of September 24, 2009, and is therefore timely under 28 U.S.C. § 1446(b).

3. Venue is proper in this Court under 28 U.S.C. § 1441 because the Northern District of Texas is the federal judicial district encompassing the County Court at Law No. 2 for Dallas County, Texas, where this suit was originally filed. .

4. This Court has original jurisdiction over this civil action under 28 U.S.C. §§ 1332(a) and 1441. This action may be removed to this Court by Defendant on the basis of diversity jurisdiction because the action is between citizens of different states and the amount in controversy exceeds the sum of \$75,000.00, exclusive of interest and costs.

5. Plaintiff is incorporated under the laws of the State of Texas and Plaintiff's principal place of business is also in the State of Texas. Plaintiff is therefore a citizen of the State of Texas.

6. Defendant is incorporated under the laws of the Commonwealth of Massachusetts with its principal place of business located in the State of New York. Defendant is therefore a citizen of the States of Massachusetts and New York.

7. Therefore, at all times relevant herein, the Plaintiff was at the time of the filing of this action a resident and citizen of the State of Texas, and the citizenships of the Defendant for diversity purposes was, at the time of the filing of this action and continues to be as of the date of the filing of this removal, of states other than the State of Texas. There was at the time of the filing of this action, and continues to be as of the date of this removal, a complete diversity of citizenship among the parties

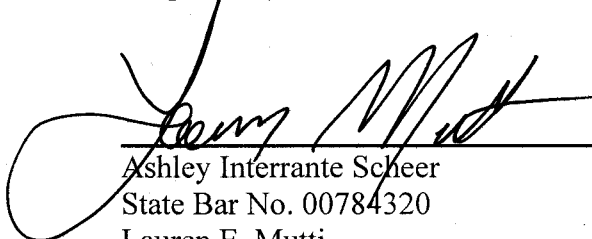
8. Further, Defendant believes in good faith that the amount in controversy in this case exceeds Seventy-Five Thousand Dollars (\$75,000.00), exclusive of interests and costs. In the Petition, Plaintiff has not stipulated to a maximum amount of damages, and it is apparent that the amount in controversy exceeds the minimum jurisdictional amount. *See Gardea v.*

American Eagle Wheel Corp., No. EP-09-CV-121-DB, 2009 U.S. Dist. LEXIS 57735, *6-11 (W.D. Tex. June 29, 2009) (holding that plaintiff's failure to file a binding stipulation that plaintiff would not seek, accept, or collect more than \$75,000.00 was evidence that plaintiff was seeking an amount in excess of the jurisdictional requirement). Specifically, Plaintiff seeks damages not only for an alleged loss of an existing contract, but also seeks damages for an unspecified number of prospective relationships in which Plaintiff alleges that Defendant interfered. Further, Plaintiff also seeks exemplary damages, alleging that Defendant acted with "malice or reckless indifference to the contract rights of Plaintiff," and that "[i]n order punish [] Defendant for engaging in unlawful business practices," Plaintiff is entitled to exemplary damages of an unspecified amount. Finally, Plaintiff also seeks "such and other further relief to which Plaintiff may be entitled at law or in equity." (Petition, ¶ 11). Thus, with the alleged "loss of earnings in the past," plus the "loss of future earning capacity" plus the requested exemplary damages, it is clear that the amount in controversy in this matter exceeds \$75,000.00

9. Pursuant to 28 U.S.C. § 1446(d), Defendant is filing written notice of the removal of this action (in the form attached hereto as Exhibit "B"), together with a copy of this Notice of Removal with the Clerk of the County Court at Law No. 2 for Dallas County, Texas and is serving same on Plaintiff's counsel.

WHEREFORE, Defendant, having satisfied all the requirements for removal pursuant to 28 U.S.C. §§ 1332 and 1446, hereby petitions to remove this case from the County Court at Law No. 2 for Dallas County, Texas, to the United States District Court for the Northern District of Texas, and requests that this Court assume full jurisdiction of the case herein as provided by law.

Respectfully submitted,



Ashley Interrante Scheer

State Bar No. 00784320

Lauren E. Mutti

State Bar No. 24050042

JACKSON WALKER L.L.P.

901 Main Street, Suite 6000

Dallas, Texas 75202

(214) 953-6000

(214) 953-5822 - Fax

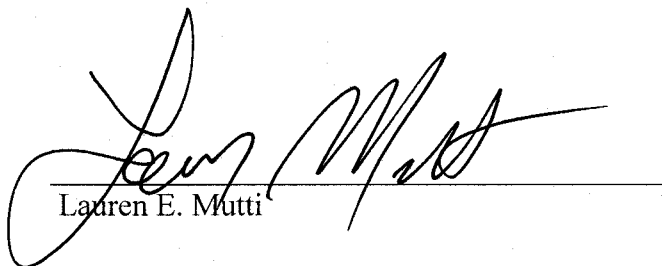
Email: ascheer@jw.com

**ATTORNEYS FOR DEFENDANT,
LEXISNEXIS, INC.**

CERTIFICATE OF SERVICE

This is to certify that on this 22nd day of October, 2009, a true and correct copy of the foregoing document was served via certified mail, return receipt requested, upon:

Michael R. Cramer
Bailey & Galyen
4131 N. Central Expressway
Suite 860
Dallas, Texas 75204



Lauren E. Mutti



IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

THE ATTORNEYSTORE.COM, INC.,

Plaintiff,

v.

REED ELSEVIER, INC. d/b/a
LEXISNEXIS,

Defendant.

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CIVIL ACTION
FILE NO. _____

INDEX OF DOCUMENTS IN STATE COURT ACTION

1. Docket Sheet and John F. Warren Certification
2. Plaintiff's Original Petition, filed September 23, 2009
3. Citation and Return for Reed Elsevier, Inc. d/b/a LexisNexis, filed September 25, 2009
4. Letter from King Fifer, dated September 30, 2009
5. Defendant's Original Answer with Letter, filed October 16, 2009





JOHN F. WARREN
Dallas County Clerk
509 Main St, Ste 201
Dallas, Texas 75202-3551

STATE OF TEXAS §

COUNTY OF DALLAS §

I, John F. Warren, Clerk of the County Court of Dallas County Court at Law No. 2, Dallas County, Texas do hereby certify that the foregoing is a true and correct copy of document in **Cause No. CC-09-07227-B.**

THE ATTORNEY STORE.COM INC, PLAINTIFF (S)

VS

REED ELSEVIER INC DBA LEXISNEXIS, DEFENDANT (S)

Judge's Civil Docket Sheet, Filed, September 23, 2009

Defendant's Original Answer, Filed, October 16, 2009

Letter From Attorney, Filed, October 16, 2009

Citation, Filed, September 25, 2009

Letter From Judge King Fifer Chambers, Filed, September 30, 2009

Return of Citation, Executed on: September 24, 2009

Plaintiff's Original Petition, Filed, September 23, 2009.

WITNESS MY HAND AND SEAL of said Court this 20th day of October, 2009.

John F. Warren, County Clerk

By:

A handwritten signature in cursive script, reading "Fannie Sewell", written over a horizontal line.

Fannie Sewell, Deputy Clerk

COUNTY COURT AT LAW NO. 2
DOCKET SHEET
CASE NO. CC-09-07227-B

THE ATTORNEY STORE.COM INC
vs.
REED ELSEVIER INC DBA LEXISNEXIS

§
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§
§

Location: County Court at Law No. 2
Judicial Officer: FIFER, KING
Filed on: 09/23/2009

CASE INFORMATION

Case Type: DEBT/CONTRACT
Sub Type: BREACH OF CONTRACT

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number CC-09-07227-B
Court County Court at Law No. 2
Date Assigned 09/23/2009
Judicial Officer FIFER, KING

PARTY INFORMATION

PLAINTIFF	THE ATTORNEY STORE.COM INC	<i>Lead Attorneys</i> CRAMER, MICHAEL 214-252-9099(W) <i>Retained</i> 4131 N. CENTRAL EXPWY. SUITE 860 DALLAS, TX 75204
DEFENDANT	REED ELSEVIER INC DBA LEXISNEXIS SERVE: CT CORPORATION SYSTEM 350 N ST PAUL STREET DALLAS, TX 75201	INTERRANTE, ASHLEY 214-953-6000(W) E <i>Retained</i> JACKSON WALKER L LP 901 MAIN STREET, SUITE 6000 DALLAS, TX 75202

DATE

EVENTS & ORDERS OF THE COURT

INDEX

09/23/2009	ORIGINAL PETITION (OCA - NEW CASE FILED)	
09/23/2009	ISSUE CITATION	
09/23/2009	CITATION (SERVICE) REED ELSEVIER INC DBA LEXISNEXIS served 09/24/2009	
10/16/2009	ORIGINAL ANSWER Party: DEFENDANT REED ELSEVIER INC DBA LEXISNEXIS	
01/29/2010	DISMISSAL HEARING (9:00 AM) (Judicial Officer: FIFER, KING)	

DATE

FINANCIAL INFORMATION

PLAINTIFF THE ATTORNEY STORE.COM INC
Total Charges
Total Payments and Credits
Balance Due as of 10/20/2009



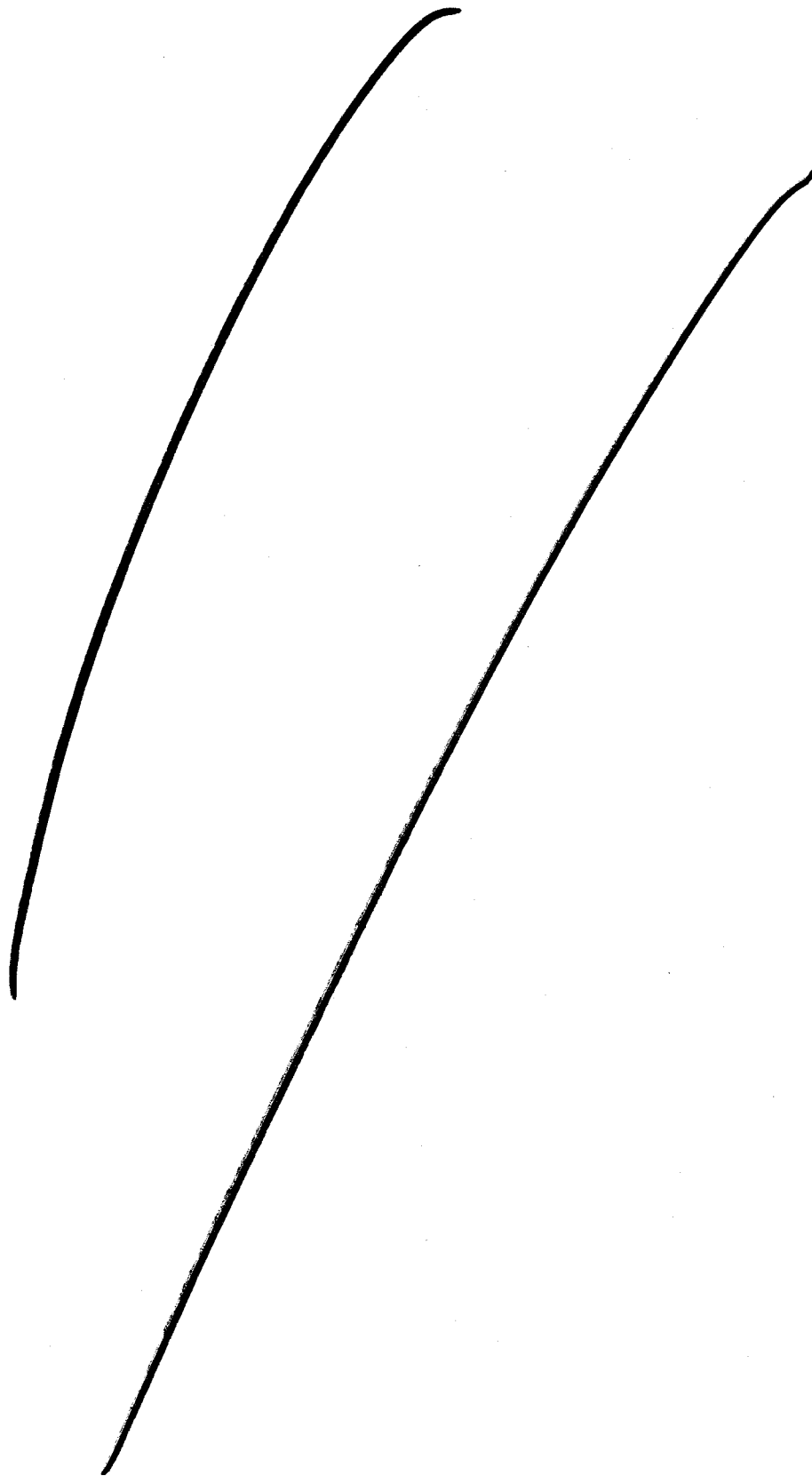
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COUNTY COURT AT LAW No. 2
DOCKET SHEET
CASE No. CC-09-07227-B



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CAUSE NO. 09-07227-B

THE ATTORNEY STORE.COM, INC.
Plaintiff,

V.

REED ELSEVIER, INC D/B/A
LEXISNEXIS
Defendant.

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IN THE COUNTY COURT

AT LAW NO. 2

DALLAS COUNTY, TEXAS

PLAINTIFF'S ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES The Attorney Store.Com, Inc. hereinafter called Plaintiff, complaining of and about REED ELSEVIER, INC D/B/A LEXISNEXIS, hereinafter called Defendant, and for cause of action shows unto the Court the following:

A. DISCOVERY CONTROL PLAN LEVEL

1. Plaintiff intends that discovery be conducted under Discovery Level 2.

B. PARTIES AND SERVICE

2. Plaintiff, THE ATTORNEY STORE.COM, INC., is a Texas corporation doing business in Dallas County, Texas.

3. Defendant, REED ELSEVIER, INC D/B/A LEXISNEXIS, a foreign corporation organized and existing under the laws of the State of Massachusetts, whose principal office is located at 125 Park Avenue, 23rd Floor, New York, New York 10017, is authorized to do business in Texas and may be served with process pursuant to article 2.11(A) of the Texas Business Corporation Act, or its successor statute, sections 5.201 and 5.255 of the Texas Business Organizations Code, by

PLAINTIFF'S ORIGINAL PETITION

Page 1



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serving the registered agent of the corporation: **CT Corporation, 350 North St. Paul Street, Dallas, Texas 75201**. Service of said Defendant as described above can be effected by personal delivery.

C. JURISDICTION AND VENUE

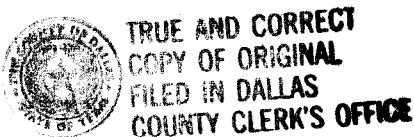
4. The subject matter in controversy is within the jurisdictional limits of this court.
5. This court has jurisdiction over the parties because Defendant's wrongful conduct took place in Dallas County.
6. Venue in Dallas County is proper in this cause under Section 15.002 of the Texas Civil Practice and Remedies Code because all or a substantial part of the events giving rise to the claim occurred in this County.

D. TORTIOUS INTERFERENCE WITH CONTRACT BY LEXISNEXIS

7. Plaintiff alleges that there was a contract or contractual relationship between Plaintiff and Dement Roach & Stern that was subject to interference. Plaintiff alleges that Defendant LexisNexis, willfully and intentionally interfered with this contract and such interference was the proximate cause of Plaintiff's damages for which Plaintiff herein sues.

E. TORTIOUS INTERFERENCE WITH PROSPECTIVE BUSINESS RELATIONSHIP BY LEXISNEXIS

8. Plaintiff alleges that Defendant LexisNexis, tortuously interfered with a prospective business relationship between Plaintiff and The Short Law Firm, P.C., The Shapiro Law Firm, Law Office of Kathy Black, Law office of Wayne Ward and The Law Office of Harriet Langston. Plaintiff alleges that there was a reasonable probability of success in the business relationship. Defendant LexisNexis willfully and intentionally interfered with said prospective business



relationship in order to deprive Plaintiff of such relationship or of the full benefits of such relationship. Such interference was the proximate cause of Plaintiff's damages for which Plaintiff herein sues.

F. DAMAGES

9. Plaintiff sustained damages as a result of the actions and/or omissions of Defendant described hereinabove:

- a. All reasonable and necessary Attorney's fees incurred by or on behalf of Plaintiff, including all fees necessary in the event of an appeal of this cause to the Court of Appeals and the Supreme Court of Texas, as the Court deems equitable and just as provided by the Texas Labor Code section 21.259. All conditions precedent have been performed or have occurred;
- b. All reasonable and necessary costs incurred in pursuit of this suit;
- c. Loss of earnings in the past; and
- d. Loss of earning capacity which will, in all probability, be incurred in the future.

G. EXEMPLARY DAMAGES

10. Plaintiff would further show that the acts and omissions of Defendant complained of herein were committed with malice or reckless indifference to the contract rights of the Plaintiff. In order to punish said Defendant for engaging in unlawful business practices and to deter such actions and/or omissions in the future, Plaintiff also seeks recovery from Defendant for exemplary damages.

H. PRAYER

11. **WHEREFORE, PREMISES CONSIDERED**, Plaintiff, The Attorney Store.Com, Inc. respectfully prays that the Defendant be cited to appear and answer herein, and that upon a final hearing of the cause, judgment be entered for the Plaintiff against Defendant for damages in an

amount within the jurisdictional limits of the Court; exemplary damages, excluding interest, together with pre-judgment interest at the maximum rate allowed by law; post-judgment interest at the legal rate, costs of court; and such other and further relief to which the Plaintiff may be entitled at law or in equity.

Respectfully submitted,

BAILEY & GALYEN
4131 N. Central Expressway, Suite 860
Dallas, Texas 75204
214-252-9099
214-250-9941

By:


Michael R. Cramer

Texas State Bar Number: 00790526

ATTORNEY FOR PLAINTIFF

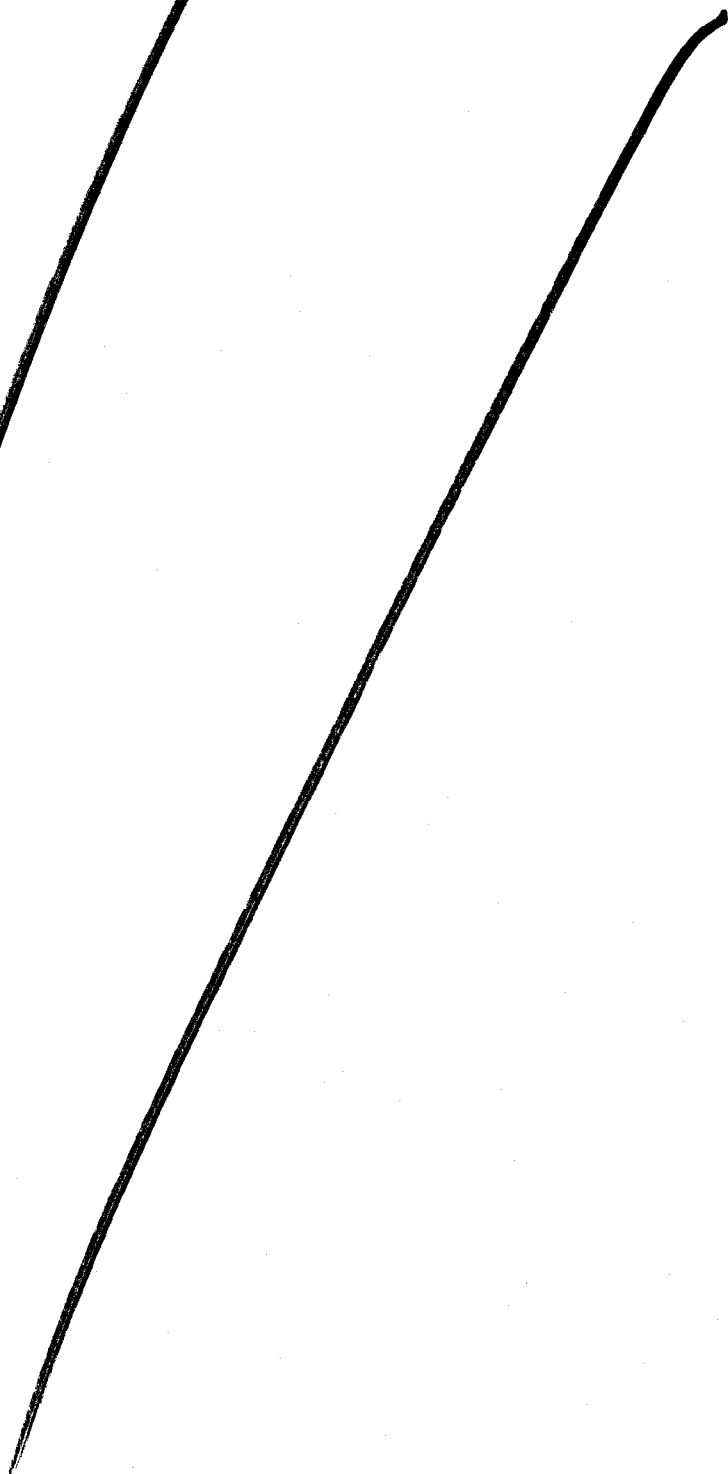
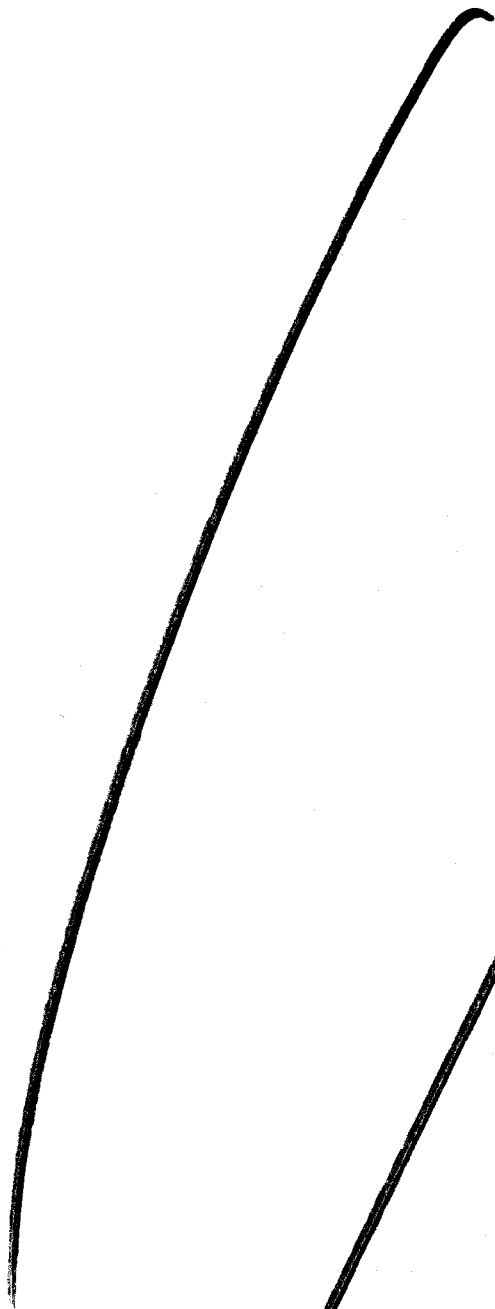
PLAINTIFF'S ORIGINAL PETITION

Page

4



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CITATION

THE STATE OF TEXAS

2009 SEP 25 PM 4:17

CAUSE NO. CC-09-07227-B

COUNTY COURT OF DALLAS COUNTY COURT AT LAW NO. 2
DALLAS COUNTY, Texas

TO:

REED ELSEVIER INC DBA LEXISNEXIS
SERVE CT CORPORATION SYSTEM
350 N ST PAUL STREET
DALLAS TX 75201

"You have been sued. You may employ an attorney. If you or your attorney do not file a WRITTEN ANSWER with the clerk who issued this citation by 10:00 A.M. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you." Your answer should be addressed to the clerk of County Court at Law No. 2 of Dallas County, Texas, at the Court House of said County 600 Commerce Street Suite 101, Dallas, Texas 75202.

Plaintiff(s),

THE ATTORNEY STORE.COM INC

vs.

REED ELSEVIER INC DBA LEXISNEXIS

Defendant(s)

filed in said Court on the 23rd day of September, 2009, a copy of which accompanies this citation.

WITNESS: JOHN WARREN, Clerk of the County Courts of Dallas County, Texas. GIVEN UNDER MY HAND AND SEAL OF OFFICE, at Dallas, Texas, and issued this 24th day of September, 2009 A.D.

JOHN WARREN, Clerk, County Court, Dallas County Court at Law No. 2, Dallas County, Texas.

By , Deputy
VALERIE RAMOS



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Form CITATION 412 - ORIGINAL

ORIGINAL

ATTY

CITATION

CC-09-07227-B

IN THE COUNTY COURT OF DALLAS
County Court at Law No. 2
Dallas County, Texas

Plaintiff(s)

THE ATTORNEY STORE.COM INC

vs.

REED ELSEVIER INC DBA LEXISNEXIS

Defendant(s)

SERVE:

REED ELSEVIER INC DBA

LEXISNEXIS

SERVE CT CORPORATION SYSTEM

350 N ST PAUL STREET

DALLAS TX 75201

ISSUED THIS

24th day of September, 2009

John F. Warren, County Clerk

BY: VALERIE RAMOS, Deputy

Attorney for Plaintiff

MICHAEL CRAMER

4131 N CENTRAL EXPWY

SUITE 860

DALLAS TX 75204

214-252-9099

NO OFFICER'S FEES HAVE BEEN
COLLECTED BY DALLAS COUNTY CLERK

CAUSE NO. CC-09-07227-B

RETURN

IN THE COUNTY COURT AT LAW NO. 2,
DALLAS COUNTY, TEXAS

THE ATTORNEY STORE.COM INC
VS.
REED ELSEVIER INC dba LEXIS NEXIS

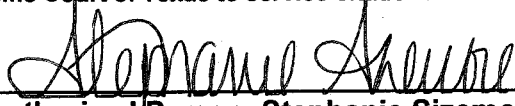
Came To Hand: 09 / 24 / 2009, at 3:00 o'clock P. M.

X Citation
X Petition, Plaintiff's Original Petition

Executed on: 09 / 24 / 2009, at 4:00 o'clock P. M.

Executed at 350 N. ST. PAUL ST. SUITE # 2900, DALLAS, TEXAS, 75201 within
the County of DALLAS, by delivering to: REED ELSEVIER INC dba LEXISNEXIS.
by delivering to its Registered Agent C.T. Corporation System by delivering to
authorized agent: SHARLA RUSSELL a true copy of the above specified civil
process having first endorsed on such copy the date of delivery

I am over the age of 18, not a party to nor interested in the outcome of the above numbered suit and
am authorized by written order of the Supreme Court of Texas to service citations and other notices.

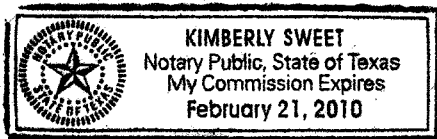

SCH1130
Authorized Person: Stephanie Sizemore
Sizemore & Associates
1811 Blackburn Rd, Sachse, Texas 75048

FEES: \$70.00

STATE OF TEXAS }

VERIFICATION

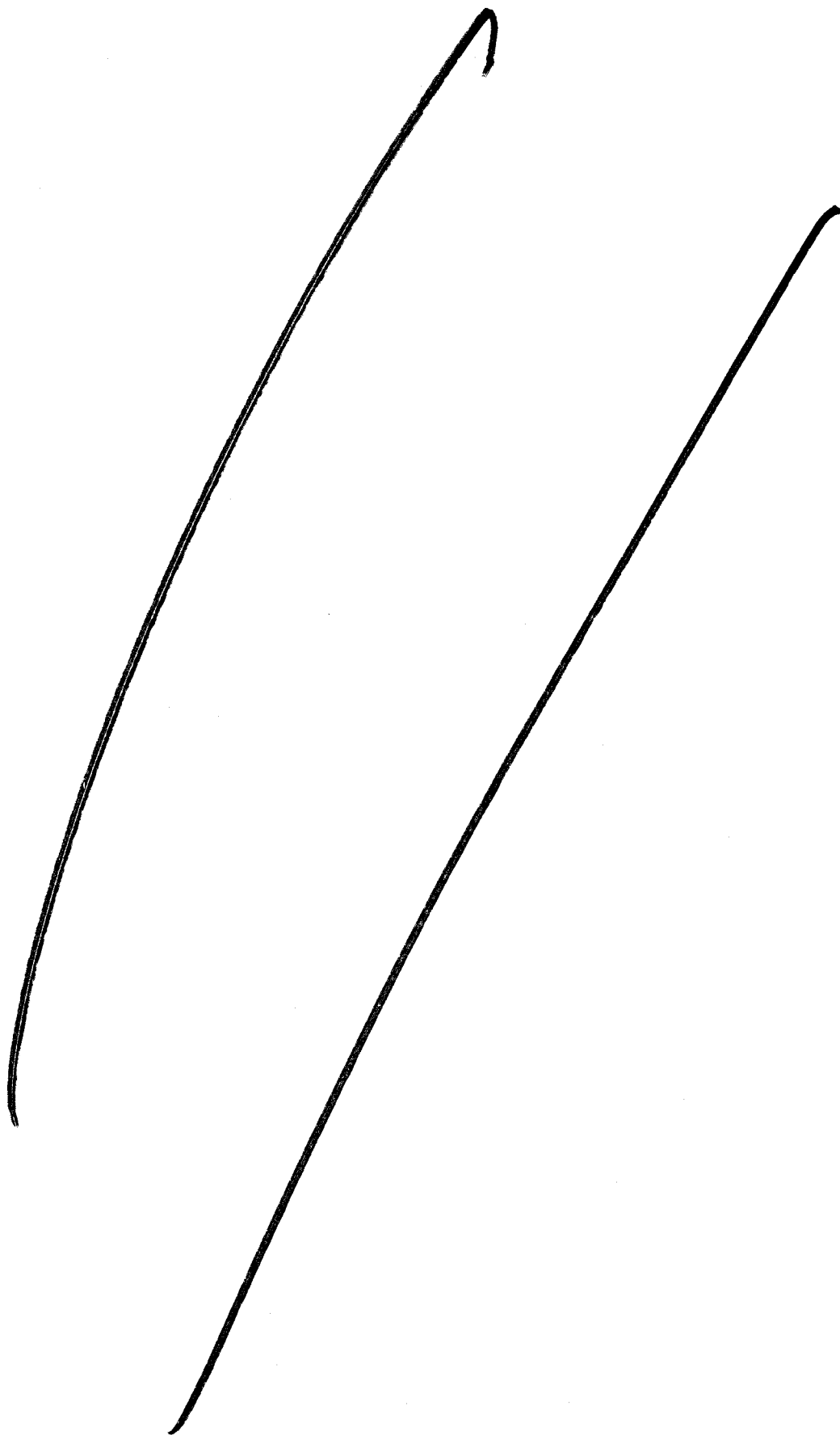
Before me, a notary public, on this day personally appeared the above named
authorized person, known to me to be the person whose name is subscribed to
the foregoing document and, being by me first duly sworn, declared that the
statements therein contained are true and correct. Given under my hand and seal
of office on this the 25 day of September 2009.




Notary Public Signature



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COUNTY COURT AT LAW NO. 2
GEORGE L. ALLEN SR. COURTS BUILDING
600 COMMERCE STREET, SUITE 555
DALLAS, TEXAS 75202
214-653-7365

Chambers of JUDGE KING FIFER

September 30, 2009

MICHAEL CRAMER
4131 N CENTRAL EXPWY
SUITE 860
DALLAS TX 75204

Re: Cause No. CC-09-07227-B

THE ATTORNEY STORE.COM INC vs. REED ELSEVIER INC DBA LEXISNEXIS

Dear Attorney:

Pursuant to Rule 165a of the Texas Rules of Civil Procedure, the above case is set for dismissal on **January 29, 2010 at 9:00 a.m.**

If an answer has not been filed by the requisite appearance date, you will be expected to have moved for a default judgment on or before the above-referenced dismissal date. Your failure to do so may result in dismissal of the case.

If you are unable to obtain service of process by the above-referenced dismissal date, you must notify the court and request an extension.

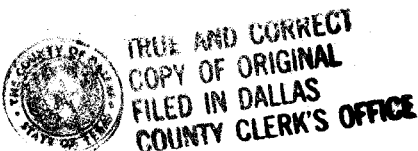
If an answer has been filed, a trial date will be set and you will be notified of same.

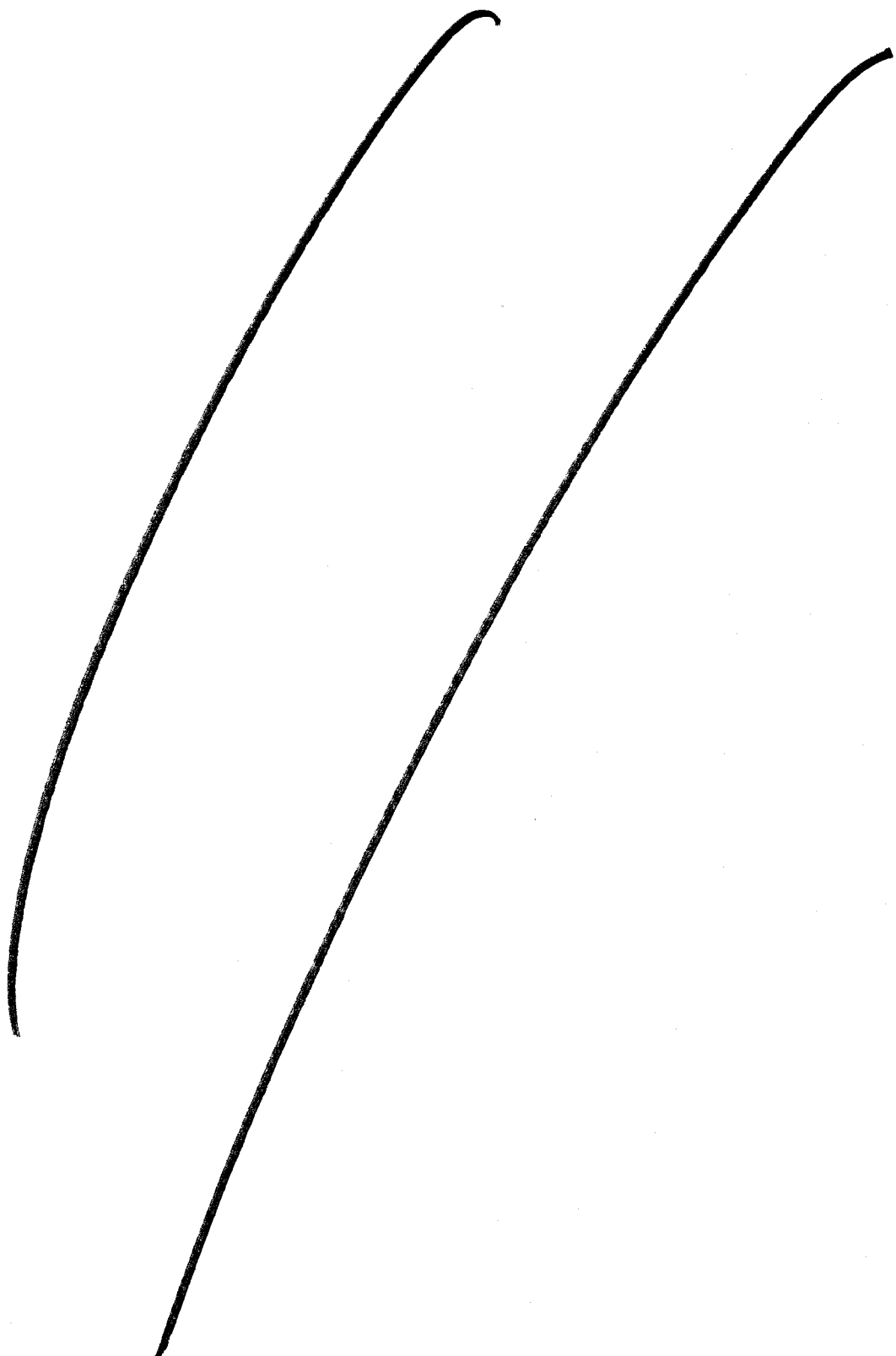
Motions for default judgment are handled by submission. A motion for default judgment should be filed with all documentation required under the law along with a proposed judgment. It is acceptable to present testimony regarding damages in the form of an affidavit. In certain cases, the Court may require a hearing on damages and, in those circumstances; a clerk will notify you regarding the necessity of a hearing.

Should you should have any questions, please feel free to contact us.

Very truly yours,

JUDGE KING FIFER
Judge Presiding





CAUSE NO. 09-07227-B

THE ATTORNEY STORE.COM, INC.

Plaintiff,

vs.

REED ELSEVIER, INC. d/b/a
LEXISNEXIS, INC.

Defendant.

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IN THE COUNTY COURT AT LAW

NUMBER 2 OF

DALLAS COUNTY, TEXAS

2009 OCT 16 PM 1:27

JOHN F. WARREN
COUNTY CLERK
DALLAS COUNTY

POSTED

DEFENDANT'S ORIGINAL ANSWER

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Defendant Reed Elsevier, Inc. d/b/a LexisNexis, Inc. ("Defendant" or "LexisNexis") and presents this its Original Answer and Affirmative Defenses and would respectfully show the Court as follows

I.

GENERAL DENIAL

Pursuant to TEX. R. CIV. P. 92, Defendant denies generally and in the singular, each and every, all and singular, the material allegations in Plaintiff's Original Petition and requests that Plaintiff be required to prove his claims and allegations against Defendant by a preponderance of the credible evidence as is required by the constitution and laws of the State of Texas.

II.

AFFIRMATIVE DEFENSES

By way of further answer if such be necessary, pursuant to TEX. R. CIV. P. 94, Defendant asserts the following affirmative defenses:



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1. Defendant affirmatively pleads that Plaintiff's own acts or omissions were the sole proximate cause of, or at least contributed to, Plaintiff's alleged injury.

2. Defendant further asserts that it gave truthful information or honest advice regarding Plaintiff, thus Defendant's actions are privileged.

3. Defendant further asserts that it acted to pursue its own legal right; thus, Defendant's actions are justified.

4. Defendant further asserts that it acted in good faith to pursue a colorable legal right; thus, Defendant's actions are justified.

5. Subject to information developed in discovery, Plaintiff has failed to mitigate its damages.

6. Subject to information developed in discovery, Plaintiff's claims are barred by any applicable statute of limitations.

7. Defendant asserts that Tex. Civ. Prac. & Rem. Code § 41.008 limits Plaintiff's damages with respect to the maximum amount of punitive or exemplary damages that may be awarded separately from the amount of other compensatory damages. Specifically, Plaintiff may not obtain an award of punitive or exemplary damages that exceeds an amount equal to the greater of (a) two times the amount of economic damages, plus (b) an amount equal to any non-economic damages found by the jury, not to exceed \$750,000.00; or (c) \$200,000.00.

8. Defendant submits that the exemplary and/or punitive damages sought by Plaintiff do not bear a reasonable relationship to either (1) the degree of reprehensibility involved with Defendants' alleged conduct; (2) the alleged harm; or (3) damages awarded in comparable discrimination cases as required in *BMW of North America, Inc. v. Gore*, 116 S. Ct. 1589, 1598-99 (1996).



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Respectfully submitted,



Ashley Interrante Scheer

State Bar No. 00784320

Lauren E. Mutti

State Bar No. 24050042

JACKSON WALKER L.L.P.

901 Main Street, Suite 6000

Dallas, Texas 75202

(214) 953-6000

(214) 953-5822 - Fax

Email: ascheer@jw.com

**ATTORNEYS FOR DEFENDANT,
LEXISNEXIS, INC.**

CERTIFICATE OF SERVICE

This is to certify that on this 16th day of October, 2009, a true and correct copy of the foregoing document was served via certified mail, return receipt requested, upon:

Michael R. Cramer
Bailey & Galyen
4131 N. Central Expressway
Suite 860
Dallas, Texas 75204



Ashley Interrante Scheer



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JACKSON WALKER L.L.P.
ATTORNEYS & COUNSELORS

Ashley Interrante Scheer
(214) 953-6016 (Direct Dial)
(214) 661-6691 (Direct Fax)
ascheer@jw.com

October 16, 2009

VIA HAND DELIVERY

Seth Little, Clerk
County Court at Law No. 2
George L. Allen, Sr. Courts Bldg.
600 Commerce Street, 5th Floor
Dallas, Texas 75202

2009 OCT 16 PM 1:25
JOHN F. WARREN
COUNTY CLERK
DALLAS COUNTY

Re: Cause No. 09-07227-B; *The Attorney Store.Com, Inc. v. Reed Elsevier, Inc. d/b/a LexisNexis*; County Court at Law No. 2, Dallas County, Texas

Dear Mr. Little:

Enclosed find an original and one (1) copy of Defendant's Original Answer in the above-referenced matter. Please file the original with the Court and return the file marked copy to the undersigned. If you have any questions, please feel free to contact me.

Very truly yours,

Ashley Interrante Scheer

AIS/cah
Enclosures

cc: Michael R. Cramer (w/encl.)
Bailey & Galyen
4131 N. Central Expressway
Suite 860
Dallas, Texas 75204

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED



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901 Main Street, Suite 6000 • Dallas, Texas 75202 • (214) 953-6000 • fax (214) 953-5822

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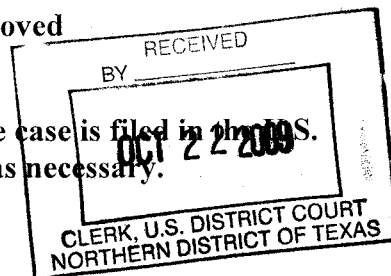
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United States District Court
Northern District of Texas

8-09 CV 2005 - N

**Supplemental Civil Cover Sheet For Cases Removed
From State Court**

This form must be attached to the Civil Cover Sheet at the time the case is filed in the U.S. District Clerk's Office. Additional sheets may be used as necessary.



1. **State Court Information:**

Please identify the court from which the case is being removed and specify the number assigned to the case in that court.

Court

County Court at Law No. 2

Case Number

09-07227-B

2. **Style of the Case:** *The AttorneyStore.Com, Inc. v. Reed Elsevier d/b/a LexisNexis*

3. Please include all Plaintiff(s), Defendant(s), Intervenor(s), Counterclaimant(s), Crossclaimant(s) and Third Party Claimant(s) still remaining in the case and indicate their party type. Also, please list the attorney(s) of record for each party named and include their bar number, firm name, correct mailing address, and phone number (including area code.)

Party and Party Type

The AttorneyStore.com, Inc. - Plaintiff

Reed Elsevier, Inc. d/b/a LexisNexis - Defendant.

Attorney(s)

Michael R. Cramer
Texas Bar No. 00790526
Bailey & Galyen, P.C.
4131 N. Central Expressway
Suite 860
Dallas, Texas 75204

Ashley Interrante Scheer
Texas Bar No. 00784320
Lauren Mutti
Texas Bar No. 24050042
Jackson Walker L.L.P.
901 Main Street, Suite 6000
Dallas, Texas 75202
Telephone: 214/953-6000
Telecopier: 214/953-5822

4. **Jury Demand**

Was a Jury Demand made in State Court?

Yes No

If "Yes," by which party and on what date?

N/A

Party

Date

5. **Answer:**

Was an Answer made in State Court?

Yes No

If "Yes," by which party and on what date?

Reed Elsevier, Inc. d/b/a LexisNexis

Party

10/16/2009

Date

6. **Unserved Parties:**

The following parties have not been served at the time this case was removed:

Party

Reason(s) for No Service

None

7. **Nonsuited, Dismissed or Terminated Parties:**

Please indicate any changes from the style on the State Court papers and the reason for that change:

Party

Reason

None

8. **Claims of the Parties:**

The filing party submits the following summary of the remaining claims of each party in this litigation:

Party

Claims

Plaintiff

Alleges that Defendant tortiously interfered with existing and prospective relationships with law firms.

CIVIL COVER SHEET

3-09 CV 2005 - N

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

The Attorney Store.com, Inc.

DEFENDANTS

Reed Elsevier, Inc. d/b/a LexisNexis, Inc.

(b) County of Residence of First Listed Plaintiff Dallas
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

(c) Attorney's (Firm Name, Address, and Telephone Number)

Michael R. Cramer, Bailey & Galyen, 4131 N. Central Expressway,
Suite 860, Dallas, Texas 75204, 214-252-9099

Attorneys (If Known)

Ashley I. Scheer and Lauren E. Mutti, Jackson Walker L.L.P.,
901 Main St. Ste. 6000, Dallas, Tx. 75202, 214-953-6000

II. BASIS OF JURISDICTION

(Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES

(Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|----------------------------|----------------------------|---|---------------------------------------|---------------------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input checked="" type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT

(Place an "X" in One Box Only)

<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input checked="" type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROFESSIONAL FEES <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	EMPLOYMENT <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISON SENTENCES <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	
			IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	

V. ORIGIN

(Place an "X" in One Box Only)

- ☐ 1 Original Proceeding ☒ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 U.S.C. 1332 and 1441

Brief description of cause:

Tortious interference with existing contract and prospective relations

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

10/22/09
FOR OFFICE USE ONLY

Lauren E. Mutti

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE